UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

OYSTER OPTICS, LLC,	§	
Plaintiff,	§ § 8	
v.	§	Civil Action No. 2:19-cv-00257-JRG
	§	
INFINERA CORPORATION,	§	
CORIANT (USA) INC., CORIANT	§	
NORTH AMERICA, LLC, AND	§	
CORIANT OPERATIONS, INC.,	§	
	§	
Defendants.	§	

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to P.R. 4-3 and the Court's Docket Control Order (Dkt. No. 48), Plaintiff Oyster Optics, LLC ("Oyster") and Defendants Infinera Corporation, Coriant (USA) Inc., Coriant North America, LLC, and Coriant Operations, Inc. (collectively "Defendants") submit the following Joint Claim Construction and Prehearing Statement.

I. LIST OF PROPOSED CLAIM TERMS TO WHICH THE PARTIES AGREED ON A CONSTRUCTION (P.R. 4-3(A)(1))

None.

II. PROPOSED CLAIM CONSTRUCTIONS BY EACH PARTY FOR THE DISPUTED CLAIM TERMS (P.R. 4-3(A)(2))

Pursuant to P.R. 4-3(b), the Parties' proposed constructions of disputed terms are provided in the chart below. The Parties' proposed constructions are also set forth in the accompanying Exhibit A, along with the intrinsic and extrinsic evidence on which the parties intend to rely.

Term / Phrase	Oyster's Proposed Construction	Defendants' Proposed Construction
"phase modulat[e]" (claims 1, 8, 16, 17, 19)	"alter the phase of light to create an optical signal having a phase that is representative of data"	"alter the phase of light to create an optical signal having a phase that is representative of data. Use of phase modulation excludes use of amplitude modulation."

III. ANTICIPATED LENGTH OF TIME NEEDED FOR THE CLAIM CONSTRUCTION HEARING (P.R. 4-3(A)(3))

The parties estimate that about one hour will be needed for the claim construction hearing.

The parties agree that each side will be allocated half of the total time permitted for the hearing.

IV. PROPOSED WITNESSES TO BE USED AT THE CLAIM CONSTRUCTION HEARING (P.R. 4-3(A)(4))

No party proposes to call witnesses at the claim construction hearing.

V. OTHER ISSUES TO BE ADDRESSED PRIOR TO CLAIM CONSTRUCTION HEARING (P.R. 4-3(A)(5))

None.

Dated: March 24, 2020

/s/ Reza Mirzaie

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ATTORNEYS
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CORIANT (USA) INC.,
CORIANT NORTH AMERICA, LLC, AND
CORIANT OPERATIONS, INC.

CERTIFICATE OF SERVICE

I certify that on March 24, 2020, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3)(A).

/s/ Reza M	irzaie	
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